

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 855**

Introduced by Moser, 22.

Read first time January 09, 2020

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend
- 2 section 72-2007, Reissue Revised Statutes of Nebraska; to eliminate
- 3 a requirement for confirmation by the Legislature of certain
- 4 Niobrara Council members; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-2007, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 72-2007 (1) The Niobrara Council is created. The council membership  
4 shall include:

5 (a) A commissioner from each of the county boards of Brown, Cherry,  
6 Keya Paha, and Rock counties chosen by the county board of the respective  
7 county;

8 (b) A representative of the Middle Niobrara Natural Resources  
9 District and the Lower Niobrara Natural Resources District chosen by the  
10 board of the respective district;

11 (c) The secretary of the Game and Parks Commission or his or her  
12 designee;

13 (d) The regional director for the National Park Service or his or  
14 her designee and the regional director for the United States Fish and  
15 Wildlife Service or his or designee. The members under this subdivision  
16 shall be nonvoting members unless and until the agencies represented by  
17 these members formally authorize such members to vote on all matters  
18 before the council by notifying the council and the Governor in writing;

19 (e) An individual from each of Brown, Cherry, Keya Paha, and Rock  
20 counties who resides in the Niobrara River drainage area and owns land in  
21 the Niobrara scenic river corridor chosen by the Governor from a list of  
22 at least three individuals, or fewer if there are not at least three  
23 qualified individuals, from each county submitted by the county board  
24 members on the council;

25 (f) A representative from a recreational business operating within  
26 the Niobrara scenic river corridor chosen by the Governor from a list of  
27 at least three individuals, or fewer if there are not at least three  
28 qualified individuals, submitted by the county board members on the  
29 council;

30 (g) A timber industry representative operating within the Niobrara  
31 scenic river corridor chosen by the Governor from a list of at least

1 three individuals, or fewer if there are not at least three qualified  
2 individuals, submitted by the county board members on the council; and

3 (h) A representative of a recognized, nonprofit environmental,  
4 conservation, or wildlife organization chosen by the Governor from a list  
5 of at least three individuals, or fewer if there are not at least three  
6 qualified individuals, submitted by the county board members on the  
7 council.

8 ~~The appointments made pursuant to subdivisions (1)(e) through (h) of~~  
9 ~~this section shall be subject to confirmation by the Legislature. The~~  
10 council members shall hold office for three-year terms and until a  
11 successor is appointed and qualified. The council members shall serve at  
12 the pleasure of the appointing board or the Governor.

13 (2) The council shall elect a chairperson, a vice-chairperson, a  
14 secretary, and a treasurer who shall jointly serve as the executive  
15 committee for the council. The council shall meet on a regular basis with  
16 a minimum of six meetings per year. Special meetings may be called by any  
17 member of the executive committee or at the request of a simple majority  
18 of the members of the council.

19 (3) A quorum shall be present at a meeting before any action may be  
20 taken by the council. A quorum shall be a majority of the members who are  
21 selected and serving and who vote on issues before the council. All  
22 actions of the council require a majority vote of the quorum present at  
23 any meeting, except that any vote to reject or adopt any zoning  
24 regulation or variance under section 72-2010 requires a vote of two-  
25 thirds of all the council members who are selected and serving and who  
26 vote on issues before the council.

27 (4) Members shall be reimbursed for actual and necessary expenses  
28 incurred in carrying out their duties on the council as provided in  
29 sections 81-1174 to 81-1177.

30 Sec. 2. Original section 72-2007, Reissue Revised Statutes of  
31 Nebraska, is repealed.